



Town of Southern Shores

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Resolution 2008-08-02

Resolution in Opposition to the
Proposed CAMA Oceanfront Setback Regulations
15A NCAC 07H. 0306 General Use Standards for Ocean Hazard Areas

WHEREAS, the Town of Southern Shores is a coastal community in Dare County, one of the twenty coastal counties in the State of North Carolina; and

WHEREAS, the Coastal Resources Commission (CRC) was created by the North Carolina General Assembly in 1974 when the Coastal Area Management Act (CAMA) was adopted; and

WHEREAS, the purposes of the CRC include establishing policies for the North Carolina Coastal Management Program, adopting and implementing rules for CAMA which balance economic growth and development in areas of environmental concern and adopting rules and policies for coastal development within those areas; and

WHEREAS, the CRC is presently considering rule changes to CAMA Oceanfront Setback Regulations 15A NCAC 07H. 0306 General Use Standards for Ocean Hazard Areas; and

WHEREAS, as proposed these rule changes will have the effect of increasing oceanfront setbacks on a sliding scale based on building size and annual erosion rates that will require increased setback requirements for larger single-family dwellings and multi-family projects currently allowed in Southern Shores and thus render such projects unbuildable; and

WHEREAS, application of the proposed rule requirements would have a tremendously negative impact on the Town's ad valorem property tax base by causing such structures to be non-compliant with CAMA rules and regulations; and

WHEREAS, the proposed new rules limit options for redevelopment and may reduce the size and value of new structures; and

WHEREAS, construction methods and standards in place today are more stringent and result in stronger, more resistant structures that are better able to endure and withstand oceanfront conditions; and

WHEREAS, there is a lack of scientific evidence to show effectiveness of increased setbacks based on a structure's floor area, as proposed in these rule changes; and

WHEREAS, wind and snow load requirements are based on 30-50 year events while flood plain management requirements are based on 100 year events and therefore the proposed setbacks constitute regulating to a higher standard than other codes;

NOW, THEREFORE, BE IT RESOLVED that the Southern Shores Town Council hereby opposes the proposed CAMA Oceanfront Setback Regulations 15A NCAC 07H. 0306 General Use Standards for Ocean Hazard Areas and requests the CRC not approve the rule changes as proposed; and

BE IT FURTHER RESOLVED that the Southern Shores Town Council requests the CRC discontinue further consideration of the subject rule revisions.

This the 5th day of August 2008.

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ATTEST:


Carrie Gordin, Town Clerk


Don Smith, Mayor